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**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

WESTERN DIVISION – ROYBAL FEDERAL BUILDING

**ALLSTATE INSURANCE
COMPANY, an Illinois corporation,**

Plaintiff,

V.

PAUL RICHARD GASSMANN;
SAMUEL HERB; SHANE
BRANSON; CHRISTOPHER
SHARPE; and MICHAEL
MELDGAARD,

Defendants.

Case no.: CV08-04833 DSF (PLAx)
Judge: Hon. Dale S. Fischer

JUDGMENT

This case came on regularly for trial on December 1, 2009, in Courtroom 840 of the above-entitled Court, before the Honorable Dale S. Fischer, Judge presiding, sitting without a jury, a jury having been duly waived. Plaintiff Allstate Insurance Company (“Allstate”) appeared by its attorney Barry P. Goldberg of Pollak, Vida & Fisher. Defendant Paul Richard Gassmann (“Gassmann”) appeared by his attorney Claire D. Johnson of Parker, Milliken, Clark, O’Hara & Samuelian. Defendant Samuel Herb (“Herb”) appeared by his attorney Douglas D. Guy of Gates, O’Doherty, Gonter & Guy. Evidence, both oral and documentary, having been

1 presented by the parties, the case having been argued and submitted for decision,
2 and on April 24, 2010, the Court having caused to be made and filed herein its
3 written Findings of Fact and Conclusions of Law,

4 **IT IS HERBY ORDERED, ADJUDGED, AND DECREED** that

- 5 1. Gassmann is an “insured person” within the meaning of Allstate Personal
6 Umbrella Policy Number 914675574, issued to Oliver Clark, III and Jean
7 Clark, (the “Policy”), and is entitled to coverage thereunder for the
8 automobile accident in Fallbrook California on or about April 28, 2007,
9 because he is related to the named insureds and was, at the time of the
10 accident, a resident of the insureds’ household;
- 11 2. Judgment is hereby entered in favor of Gassmann and against Allstate in
12 the amount of \$_____, pursuant to a Notice of Application to
13 Tax Costs and Bill of Costs to be filed by Gassmann; and
- 14 3. Judgment is hereby entered in favor of Herb and against Allstate in the
15 amount of \$_____, pursuant to a Notice of Application to
16 Tax Costs and Bill of Costs to be filed by Herb.

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19 Dated: 5/24/10



20 _____
21 Hon. Dale S. Fischer
22 Judge of the United States District Court
23 Central District of California
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